

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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LLC and Gary D. Nissenbaum, Esq.

In re:

**AFFILIATED PHYSICIANS AND
EMPLOYERS MASTER TRUST d/b/a
MEMBER HEALTH PLAN NJ,**

Subchapter V Chapter 11 debtor.

Subchapter V Chapter 11

Chief Judge Michael B. Kaplan

Case No. 21-14286(MBK)

Hearing Date: December 9, 2021
10:00 a.m.

**MOTION (A) TO CONVERT THIS MATTER TO A
STANDARD CHAPTER 11 NOT GOVERNED BY
SUBCHAPTER V; (B) TO FORM A CREDITORS'
COMMITTEE; (C) FOR JUDICIAL DETERMINATION OF
FULL AND FINAL ASSESSMENTS IN CONFORMANCE
WITH N.J.S.A. 17B:27C-7; AND (D) FOR RELATED
RELIEF**

TO: HONORABLE MICHAEL B. KAPLAN

United States Bankruptcy Court,
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, New Jersey 08608

Lauren Bielskie, Esq.
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Attorneys for the New
Jersey Department of Banking & Insurance

**All Parties Requesting
Notice Via CM/ECF**

PLEASE TAKE NOTICE, that on December 9, 2021 at 10:00 a.m., or as soon thereafter as counsel may be heard, Nissenbaum Law Group, LLC and Gary D. Nissenbaum, Esq. (collectively “Nissenbaum”), Creditors, by and through counsel, Middlebrooks Shapiro, P.C., shall move before the Honorable Chief Judge Michael B. Kaplan, United States Bankruptcy Court, Clarkson S. Fisher US Courthouse, 402 East State Street, Trenton, New Jersey 08608 via CourtSolutions, on Nissenbaum’s Motion (a) to Convert This Matter to a Standard Chapter 11 not Governed by Subchapter V; (b) to Form a Creditors’ Committee (c) For Judicial Determination of Full and Final Assessments in Conformance With N.J.S.A. 17B:27C-7; and (d) For Related Relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE, that Nissenbaum shall rely upon the Certification together with exhibits thereto submitted simultaneously herewith and the proposed form of Order together with such oral argument as may be requested on the return date hereof. Movants submit that no brief is necessary as no novel issues of law are presented.

PLEASE TAKE FURTHER NOTICE, that unless responsive pleadings are filed with the Clerk, United States Bankruptcy Court, Clarkson S. Fisher US Courthouse, 402 East State

Street, Trenton, New Jersey 08608 and simultaneously served upon the undersigned in accordance with the provisions of D.N.J. LBR 9013-1 as adopted in New Jersey no later than seven (7) days prior to the return date set forth above, the relief requested herein may be granted without further notice.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 9013-1(d) of Local Rules of this Court, failure of any person or entity receiving notice of the Motion to file objections thereto on a timely basis shall be a bar to the assertion of an objection to the entry by the Court of the Order, as same may be modified, and the within Motion shall be deemed not contested.

PLEASE TAKE FURTHER NOTICE, that pursuant to D.N.J. LBR 9013-1, Nissenbaum requests oral argument.

Respectfully submitted,

MIDDLEBROOKS SHAPIRO, P.C.

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Attorneys for Nissenbaum Law Group, LLC
and Gary D. Nissenbaum, Esq.

/s/ Melinda Middlebrooks

Melinda D. Middlebrooks, Esq.

Dated: November 17, 2021